

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MELVIN GROSS, Individually, and on Behalf)
of All Others Similarly Situated)

Plaintiff,)

v.)

ENERGEN CORPORATION, JONATHAN Z.)
COHEN, KENNETH W. DEWEY, M. JAMES)
GORRIE, JAY GRINNEY, WILLIAM G.)
HARGETT, FRANCES POWELL HAWES,)
VINCENT J. INTRIERI, ALAN A. KLEIER,)
LORI A. LANCASTER, and JAMES T.)
MCMANUS, II,)

Case No.: 2:18-cv-01711-RDP

Defendants.)

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL

In accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff, Melvin Gross ("Plaintiff"), by counsel, hereby gives notice that he is dismissing all claims in the above-captioned matter (the "Action"), with prejudice as to himself and without prejudice as to claims on behalf of the putative class in the Action. Because this notice of dismissal is being filed before service by defendants of either an answer or a motion for summary judgment, Plaintiff's dismissal of the Action is effective "without a court order." Fed. R. Civ. P. 41(a)(1)(A). Additionally, Plaintiff has not previously dismissed any federal- or state-court action based on or including the same class claims. *See* Fed. R. Civ. P. 41(a)(1)(B).

Respectfully submitted,

Dated: November 21, 2018

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s/ David J. Guin

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing motion was filed and served via the Court's Electronic Filing system this 21st day of November, 2018 upon:

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